

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

05 APR 21 PM 3:40

ROBERT R. B. CLIO
CLERK, U.S. DIST. CT.
W.D. OF TN, MEMPHIS

VERONICA SMITH,

Plaintiff,

vs.

No. 2:05cv2167-B/V

TACO BELL OF AMERICA, INC.,

Defendant.

SCHEDULING ORDER

Pursuant to written notice, a scheduling conference was held on April 21, 2005. Present were Jim Johnson, counsel for plaintiff, and Jay M. Atkins, counsel for Taco Bell of America, Inc. At the conference, the following dates were established as the final dates for:

INITIAL DISCLOSURES PURSUANT TO Fed. R. Civ. P. 26(a)(1): May 5, 2005

JOINING PARTIES: June 21, 2005

AMENDING PLEADINGS: June 21, 2005

INITIAL MOTIONS TO DISMISS: July 21, 2005

COMPLETING ALL DISCOVERY: December 21, 2005

(a) DOCUMENT PRODUCTION: December 21, 2005

(b) DEPOSITIONS, INTERROGATORIES AND REQUESTS FOR

ADMISSIONS: December 21, 2005

(c) EXPERT WITNESS DISCLOSURE (Rule 26):

(1) DISCLOSURE OF PLAINTIFF'S RULE 26 EXPERT

This document entered on the docket sheet in compliance
with Rule 58 and/or 79(a) FRCP on 4-22-05

(6)

INFORMATION: October 21, 2005

(2) DISCLOSURE OF DEFENDANT'S RULE 26 EXPERT

INFORMATION: November 21, 2005

(3) EXPERT WITNESS DEPOSITIONS: December 21, 2005

FILING DISPOSITIVE MOTIONS: January 20, 2005

OTHER RELEVANT MATTERS:

No depositions may be scheduled to occur after the discovery cutoff date. All motions, requests for admissions, or other filings that require a response must be filed sufficiently in advance of the discovery cutoff date to enable opposing counsel to respond by the time permitted by the Rules prior to that date.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or the service of the response, answer, or objection, which is the subject of the motion, if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or the objection to the default, response answer, or objection shall be waived.

This case is set for jury trial. The pretrial order date, pretrial conference date, and trial date will be set by the presiding judge.

This case is appropriate for ADR. The parties are directed to engage in court-annexed attorney mediation or private mediation after the close of discovery.

The parties are reminded that pursuant to Local Rule 11 (a)(1)(A), all motions, except motions pursuant to Fed. R. Civ. P. 12, 56, 59, and 60 shall be accompanied by a proposed order.

The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

The parties have not consented to trial before the magistrate judge.

This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this order will not be modified or extended.

IT IS SO ORDERED.

Diane K. Vescovo
Diane K. Vescovo
UNITED STATES MAGISTRATE JUDGE

DATE: April 21, 2005

Approved for Entry:

By: _____
JAY M. ATKINS #21371
Attorneys for Home Depot, USA, Inc.
254 Court Avenue, Second Floor
Memphis, Tennessee 38103

By: _____
JIM B. JOHNSON, ESQ.
253 Adams Avenue
Memphis, TN 38103



Notice of Distribution

This notice confirms a copy of the document docketed as number 6 in case 2:05-CV-02167 was distributed by fax, mail, or direct printing on April 22, 2005 to the parties listed.

Jay Marshall Atkins
LEITNER WILLIAMS DOOLEY & NAPOLITAN-Memphis
254 Court Ave.
Second Floor
Memphis, TN 38103

Jim B. Johnson
LAW OFFICE OF JIM B. JOHNSON
253 Adams Ave.
Memphis, TN 38103

Jimmy Moore
CIRCUIT COURT, 30TH JUDICIAL DISTRICT
140 Adams Ave.
Rm. 224
Memphis, TN 38103

Thomas P. Cassidy
LEITNER WILLIAMS DOOLEY & NAPOLITAN
254 Court Ave.
Second Floor
Memphis, TN 38103

Honorable J. Breen
US DISTRICT COURT